

THE HOGAN LAW FIRM®

We mean businessSM

December 8, 2009

Mr. Bradley Arnold
County Administrator
Sumter County, Florida
910 North Main Street
Bushnell, FL 33603



Re: 2009 Hogan Law Firm Progress Report.

Dear Mr. Arnold,

As 2009 comes to a close, the Hogan Law Firm wishes to provide Sumter County a list of specific projects and responsibilities with which we have had the privilege of assisting the County over the past twelve months. These projects and responsibilities included, but were not limited to:

Serving as attorney for the Zoning Adjustment Board, aiding in the conduct of quasi judicial land use hearings as well as comprehensive plan amendment proceedings.

Serving as construction licensing board attorney for Sumter County.

Serving as code enforcement violation prosecutor for Sumter County.

Researching and foreclosing (when possible) code enforcement liens for the county.

Aiding in the drafting and revision of multiple Chapter 163, Florida Statutes Developer Agreements.

Aiding in the drafting and implementation of Interlocal Service Boundary Agreements with Wildwood and Center Hill and drafting the related enacting ordinances.

The drafting of a new form independent contractor agreement for universal use by Sumter County.

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Bldg & Dev Div
Admin Div
Com Svcs Div

The review of numerous county third party vendor contracts for beach commission meeting.

The performance of research which resulted in the prevention of Sumter County's engagement in contract provisions indemnifying third parties.

Working within the state administrative hearing process to negotiate modification to the geographical siting of future electrical transmission lines for Progress Energy.

Litigation in defense of vandalism of county community center facilities, resulting in a constructive settlement.

Successfully negotiating and drafting agreements with property owners to provide emergency access easements for a subdivision which could be landlocked during a train derailment.

Prosecuting litigation concerning the Sumter County's right to perform fire plan review and fire inspection services county-wide. We are continuing to work within the parameters of the Florida statutory intergovernmental dispute resolution process to settle these disputes.

Working to negotiate an agreement with SWFWMD concerning the Lake Panasoffkee dredging spoils site. We are now continuing to work with Fletcher Marine, Incorporated on behalf of Sumter County concerning the assignment of the road bed shell processing lease on the spoil site.

Drafting a new ordinance governing the operation of airboats, which included provisions governing allowable speed and times of operation.

Amending Sumter County's noise ordinance to aid in the control of nuisance noise in residential neighborhoods.

Drafting a new animal control ordinance to aid in the enforceability of licensing regulations, and implement special master proceedings, among other improvements.

Drafting new temporary use and special event provisions, to be implemented via ordinance, for purposes of amending and clarifying the Sumter County Land Development Code.

Aiding in the drafting and of a new impact fee agreement with the Villages and a new Road Impact Fee Ordinance for the county.

Researching, preparing and presenting a comprehensive Sunshine Law powerpoint presentation to the Board of County Commissioners.

Aiding in the settlement of administrative litigation dispute between Sumter County and the Florida Department of Environmental Protection concerning an alleged leachate spill at the Sumter County Solid Waste Facility.

Researching and providing guidance on the sale of fireworks in Sumter County. Our research included communications with counsel for the Florida Department of Agriculture and Consumer Services.

Researching Sumter County's responsibility concerning financial reimbursement to SHANDS/University of Florida health services related to examinations of sexual offender victims.

Researching the possibility of preventing sex offenders from using county library facilities. Provided detailed memoranda concerning sexual offender and predator status and the constitutional issues surrounding the limitation of county library use.

Working with local surveyors to improve legal description and survey records for certain county lands and right-of-way.

Litigating a Health Care Responsibility Act (Florida Division of Administrative Hearings) matter to a conclusion that resulted in no financial exposure for Sumter County.

Answering foreclosure complaints on behalf of the county when the county was named as a defendant as a result of a second or third position SHIP loan.

Aiding in the drafting of a solid waste management agreement with Hernando County.

Researching and drafting memoranda and give a verbal presentation to the Board of County Commissioners on the statutory role of the Industrial Development Authority.

Participating in pre-suit mediation and contract amendments which help lead to the timely completion of the new Sumter County Correctional Facilities.

Researching Florida's "Doggie Dining" statute and its relation to incidents in the Villages and advising staff accordingly.

Working with DelaParte and Gilbert (Sumter County's designated eminent domain firm) and county staff to close right of way acquisitions and solve real property disputes.

Facilitating real estate transfers related to requirements of Countywide Fire Service and Interlocal Service Boundary Agreement requirements.

Researching and advised the county staff and Sumter County Fire Rescue concerning state legislation banning emergency fee recovery.

Researching whether bridge construction plans are public record under the Patriot Act; corresponded with counsel for the United States Department of Homeland Security regarding same.

Performing extensive research concerning the legal ramifications of relocation of the Panasoffkee Cemetery, provided multiple memoranda to the Board of County Commissioners concerning same.

Drafting an Impact Fee Agreement concerning Florida Grande Resort RV Park in an effort to recover unpaid impact fees while avoiding the cost of litigation with the developer.

Researching and documenting the legality of the use of Tourist Development Tax Dollars for multiple tourism and economic development projects under consideration by the Board of County Commissioners.

Of course, this list provides only a sample of the daily work we perform for Sumter County. As a firm we are extremely grateful for the opportunity to serve the county in this capacity. Third parties inquiring about our services to the county should look beyond this summary and review both our detailed billing records, which, with the exception of entries related to open litigation, are public record, and staff's commission meeting agenda item summaries related to firm projects.

Sincerely,



Derrill L. McAteer
Hogan Law Firm